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DE RUEHBS #1704/01 3521913
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FM USEU BRUSSELS
TO RUEHC/SECSTATE WASHDC IMMEDIATE
RHEFHLC/DEPT OF HOMELAND SECURITY WASHINGTON DC IMMEDIATE
INFO RUCNMEM/EU MEMBER STATES COLLECTIVE PRIORITY

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 001704

SIPDIS

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E.O. 12958: DECL: 12/18/2019
TAGS: [SMIG](#) [PREF](#) [CVIS](#) [KFRD](#) [EUN](#)
SUBJECT: EU PUSHES DIALOGUE WITH U.S. ON MIGRATION

REF: A. USEU BRUSSELS 1584
[1](#)B. USEU BRUSSELS 1522

Classified By: USEU POL MC Christopher Davis, for reasons 1.4(b) and (d)
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[1](#)1. (U) This is an action cable. See para 8.

[1](#)2. (SBU) Summary: On December 16-17, 2009, CA and PRM representatives at USEU met twice with Maria Bassols Delgado, Spanish Ambassador at Large for Migratory Affairs, and her colleagues from the Spanish MFA and Ministry of Labor and Immigration, to discuss the U.S.-EU migration dialogue (Ref A). According to Bassols, who will become the head of the EU Council's High Level Working Group on Migration (HLWG) when Spain assumes the EU rotating Presidency on January 1, the Lisbon Treaty and Stockholm Program will have a significant impact on how the EU addresses migration and refugee issues at the community level. She outlined a number of areas for possible U.S.-EU cooperation and noted that the HLWG would be able to identify concrete initiatives, obtain funding and get results. These changes present a good opportunity for the United States to affect outcomes and influence migration policy. End Summary.

[1](#)3. (C) Reporting that the Swedes (current EU Presidency) did not present the U.S.-EU migration dialogue to the HLWG on December 16 as expected (Ref A), Ambassador Bassols stated she then placed it on the January 12, 2010 HLWG agenda in order to obtain the necessary buy-in of the 27 member states. The migration dialogue is also on the agenda for the senior-level informal meeting (Madrid January 11-12, 2010) to plan the April 2010 U.S.-EU Justice and Home Affairs (JHA) Ministerial. Characterizing the migration dialogue as the most important new initiative to come out of the October JHA Ministerial in Washington, the Spanish asked that the USG representatives give the JHA senior-level group an overview of what is being considered for the dialogue, with caveats noted that much remains to be decided. Bassols said she will host a planning meeting later in January with Marc Richir from the EU Commission and USEU's CA, PRM and DHS officers to discuss the projects suggested at the HLWG. (Note: USEU's DHS Attache was unavailable for these meetings with Bassols due to travel. End Note)

[1](#)4. (SBU) According to Ambassador Bassols, even with the anticipated institutional flux during the Spanish presidency due to implementation of the Lisbon Treaty (Ref B), the Spanish have already sorted out the necessary coordinating mechanisms with the Commission to provide oversight and backing to the migration dialogue. Bassols agrees with the Commission that the JHA track is the logical "home" for the migration dialogue and policy initiatives, and that accomplishments would be best reported at the semi-annual JHA Ministerials.

[1](#)5. (C) Ambassador Bassols identified potential areas of

cooperation, such as participating in antifraud and other migration training programs with the United States, and joint migration capacity building efforts with third countries. She stated that the HLWG is also interested in learning about U.S. practices in a number of migration-related areas with an eye to seeing whether they lend themselves to joint activities.

The EU areas of interest include how the United States:

- works with its neighbors to control legal and illegal migration,
- returns illegal migrants to their country of origin and/or last country of travel,
- handles voluntary versus involuntary return,
- assists the integration of migrants in the U.S.,
- administers its refugee resettlement programs,
- takes back its citizens who have been denied entry or deported from third countries.

This list is not exhaustive, but would be used to spark conversation among the HLWG members. Bassols encouraged the U.S. to provide her with thoughts on issues to consider or avoid, and said she would tailor her remarks at the HLWG accordingly.

¶6. (C) USEU representatives reiterated the importance of this migration dialogue not duplicating efforts underway in other fora, for example, the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC). Bassols stressed that the IGC was not the appropriate venue in which to accomplish the EU's aims, as it includes only eleven of the

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twenty-seven EU member states and consists of information exchange rather than policy and programmatic initiatives. She contrasted the IGC with the HLWG, which has the ability to identify and fund initiatives. Pablo Lopez Pietsch, who represents Spain at the IGC, characterized it as having "no funds, no programs and no decisions." NOTE: France, an EU heavy-hitter which is also an IGC member, has not been active in the Geneva forum and did not participate in the December Consultations. Italy and Malta, both central to EU migration and refugee issues, are not members of the IGC. Also unrepresented in the IGC are the newer EU members who are most affected by the pressures of irregular migration on the EU's external land border. End Note.

¶7. (C) Comment: Migration and refugee issues have historically been competencies of member states, but there has been a steady transition to EU community-level involvement. The establishment of the common European visa policy and common European asylum policy, the creation of Frontex, the EU returns directive and the recent EU Council decision for a joint refugee resettlement plan are all examples of this trend. The current Lisbon Treaty transformations of EU institutions, as well as the increasing involvement of the EU institutions in migration and refugee issues, present a better opportunity for the U.S. to affect the outcomes, rather than waiting until positions and priorities are settled. End Comment.

¶8. (SBU) Action Request: In order to facilitate discussion at both the HLWG in Brussels and the senior-level informal meeting in Madrid on January 12, 2010, Department (CA, PRM, EUR/ERA) and DHS are requested to review EU proposals for information sharing and projects with the U.S., as well as ideas listed in Ref A and any other suggestions from Washington, and provide feedback by January 8, 2010.

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